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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Reuss et al.
Serial No: 09/677,910
Filed: October 3, 2000
For: HIGHBACK FORMED OF MULTIPLE MATERIALS
Examiner: Vanaman, F.
Art Unit: 3611

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on November 5, 2001.

Rita A. LeBlanc

Commissioner for Patents
Washington, D.C. 20231

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: - Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Examiner's attention is directed to the enclosed International Search Report (ISR) for PCT/US01/00511, which is the international counterpart to the above-identified application.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of the non-English language reference listed on the attached form PTO-1449 (modified).

The relevance, if any, of EP 0 646 334 A1 may be discerned from its drawings and English abstract obtained from the DERWENT World Patent Index database as follows:

Abstract (Basic):

The soft boot-shaped inner section (9) is enclosed by an outer one (10) with a soft ankle portion. A rigid insert (13) between the sections extends around the heel. A rigid rear section (16) is attached to the insert via a hinge axis (17) extending in the lengthwise direction of the boot and level with the joint between the foot and shin, and extends around the calf.

The insert can extend forwards as far as the ball (14) of the foot, and it can be arranged to enclose the foot on both sides. There can be a tension device (19, 20) secured between a point on the rear section clear of the axis (17) and the portion of the insert at the ball of the foot.

ADVANTAGE – Backside turns can be carried out in freestyle without difficulty, even with the legs bent sideways.

Additionally, previously cited U.S. Patent No. 6,116,635 is a family member of EP 0 646 334 A1.

The relevance, if any, of EP 0 933 100 A1 may be discerned from its drawings and English abstract obtained from the DERWENT World Patent Index database as follows:

Abstract (Basic):

NOVELTY – The rear support (4) is in two parts: a hoop (12) hinged to the base plate (3) and a cuff (13) fixed to the hoop. The cuff has greater rigidity than the hoop. The hoop acts with the arch (10), to limit front-to-rear articulation of the rear support, relative to the base plate.

DETAILED DESCRIPTION – An INDEPENDENT CLAIM is included for the snow board fitted with the corresponding boot retainer. Preferred features: An adjustable stop (20) limits articulation. The stop is carried on the hoop. Hoop and arch lie behind the cuff, when the stop is set to an extreme position.

USE – A boot retainer especially suitable for a snow board.

ADVANTAGE – The arrangement is sufficiently stiff for good steering and control. This support is balanced with flexibility, preventing uncomfortable rigidity. The degree of rearward flexibility can be adjusted to suit individual needs.

DESCRIPTION OF DRAWING(S) – A perspective view of the rear of the retainer is shown.

base plate (3)

rear support (4)

arch (10)

hoop (12)

cuff (13)

adjustable stop (20)

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

Reuss et al., Applicant(s)

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Docket No. B0932/7154
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